COUNTY OF LOS ANGELES

SHERIFF'S DEPARTMENT

DATE: March 30, 2001

OFFICE CORRESPONDENCE

FILE:

FROM: RICHARD L. CASTRO, COMMANDER
PERSONNEL AND TRAINING DIVISION

TO: THOMAS P. ANGEL, CAPTAIN
EAST LOS ANGELES STATION

SUBJECT: **EXECUTIVE FORCE REVIEW COMMITTEE FINDINGS AND RECOMMENDATIONS HIT SHOOTING, MAY 21, 2000, IAB REVIEW #2013164**

The purpose of this memo is to notify you of the review committee's findings and recommendations concerning the use of force incident which occurred on May 21, 2000.

The Committee met on March 29, 2001 and consisted of myself, Commander David Betkey (Commander of the Department) and Commander Michael Kenyon (Commander of the Department). The Committee determined that the use of force by Deputies Steven Velasquez #[redacted] Joel Flores #[redacted] Joseph Disilio #[redacted] and Manuel Garza #[redacted] was within Department policy. Please advise the deputies of this finding.

RLC:KRK:kk

Table of Contents

Review of Deputy Involved Shooting

Exhibit D-2: Photographs taken by Crime Lab personnel depicting the knife believed to be used in the attack on the suspect's [redacted]

Exhibit D-3: Photographs taken by Crime Lab personnel depicting the location where **Exhibit D-2** was discovered.

Exhibit E-1: Photograph taken by Crime Lab personnel depicting the stairwell next to Victim [redacted] apartment.

Exhibit E-2: Photograph taken by Crime Lab personnel depicting the point of entry by the suspect into Victim [redacted] apartment.

Exhibit E-3: Photograph taken by Crime Lab personnel depicting the interior of the point of entry.

Exhibit F-1: Photograph taken by Crime Lab personnel depicting the apartment north of the location in which stray rounds struck.

Exhibit F-2: Photographs taken by Crime Lab personnel depicting where the stray rounds struck.

Exhibit F-3: Photographs taken by Crime Lab personnel depicting a closer view of the stray rounds.

Exhibit G: Photographs taken by Crime Lab personnel depicting where two stray rounds struck the apartment at the front north side of the location.

Exhibit H-1: Photographs taken by Crime Lab personnel depicting where a stray round struck.

Exhibit H-2: Photographs taken by Crime Lab personnel depicting where a stray round struck.

Miscellaneous Data

105



LOS ANGELES COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF FRAUD AND CORRUPTION PROSECUTIONS
JUSTICE SYSTEM INTEGRITY DIVISION

STEVE COOLEY • District Attorney
CURT LIVESAY • Chief Deputy District Attorney
PETER BOZANICH • Assistant District Attorney

DAVID H. GUTHMAN • Director

March 15, 2001

Captain Frank Merriman
Los Angeles County Sheriff's Department
Homicide Bureau
5747 Rickenbacker Road
Los Angeles, California 90040

Re:	J.S.I.D. File #:	100-8700 / 00-0303
	L.A.S.D. File #:	000-06680-0285-056

Dear Captain Merriman:

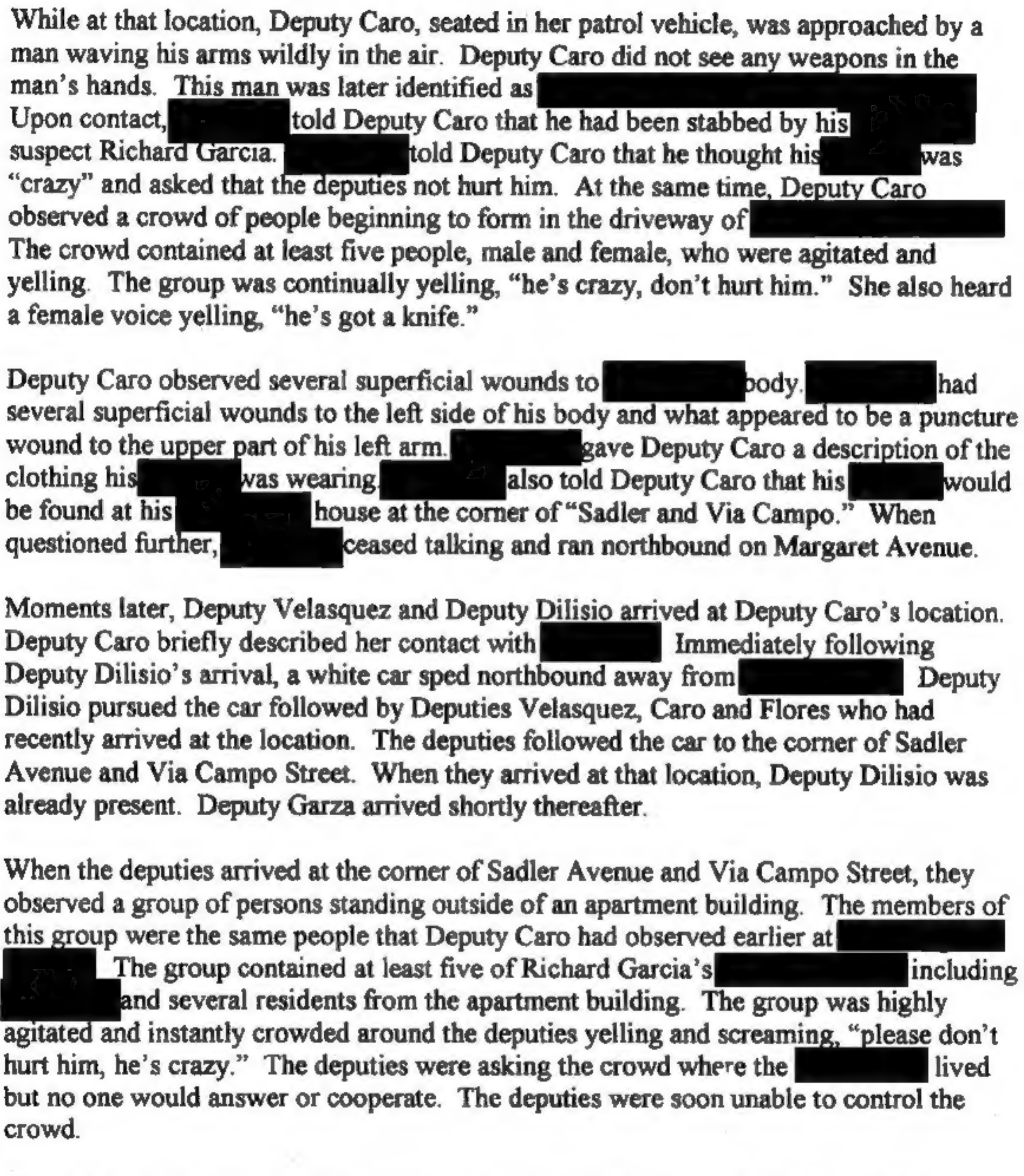
The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the May 21, 2000, fatal shooting of Raymond Navarro Garcia by Los Angeles County Sheriff's Deputies Joseph Dilisio, Joel Flores, Steven Velasquez and Manuel Garza. We have concluded that all four deputies acted lawfully in self-defense or in defense of another.

The following analysis is based on reports prepared by the Los Angeles County Sheriff's Department, Homicide Bureau, submitted to this office on January 30, 2001 by Investigator Ed Looney, photographs of the incident scene and subsequent autopsy, and the autopsy report of Los Angeles County Deputy Medical Examiner James K. Ribe prepared on July 7, 2000. Deputy District Attorney Marcia Daniel and District Attorney Senior Investigator [redacted] were present during the investigation of this incident.

FACTUAL ANALYSIS

On May 21, 1999 at approximately 1:30 PM, deputies from the Sheriff's East Los Angeles station received a broadcast of an assault with a deadly weapon at [redacted] Deputy Traci Caro arrived at that scene as the call was being updated with a description of the suspect running northbound on Margaret Avenue.

Criminal Courts Building
210 West Temple Street
Los Angeles, CA 90012-3210



While at that location, Deputy Caro, seated in her patrol vehicle, was approached by a man waving his arms wildly in the air. Deputy Caro did not see any weapons in the man's hands. This man was later identified as [redacted] Upon contact, [redacted] told Deputy Caro that he had been stabbed by his [redacted] suspect Richard Garcia. [redacted] told Deputy Caro that he thought his [redacted] was "crazy" and asked that the deputies not hurt him. At the same time, Deputy Caro observed a crowd of people beginning to form in the driveway of [redacted] The crowd contained at least five people, male and female, who were agitated and yelling. The group was continually yelling, "he's crazy, don't hurt him." She also heard a female voice yelling, "he's got a knife."

Deputy Caro observed several superficial wounds to [redacted] body. [redacted] had several superficial wounds to the left side of his body and what appeared to be a puncture wound to the upper part of his left arm. [redacted] gave Deputy Caro a description of the clothing his [redacted] was wearing. [redacted] also told Deputy Caro that his [redacted] would be found at his [redacted] house at the corner of "Sadler and Via Campo." When questioned further, [redacted] ceased talking and ran northbound on Margaret Avenue.

Moments later, Deputy Velasquez and Deputy Dilisio arrived at Deputy Caro's location. Deputy Caro briefly described her contact with [redacted] Immediately following Deputy Dilisio's arrival, a white car sped northbound away from [redacted] Deputy Dilisio pursued the car followed by Deputies Velasquez, Caro and Flores who had recently arrived at the location. The deputies followed the car to the corner of Sadler Avenue and Via Campo Street. When they arrived at that location, Deputy Dilisio was already present. Deputy Garza arrived shortly thereafter.

When the deputies arrived at the corner of Sadler Avenue and Via Campo Street, they observed a group of persons standing outside of an apartment building. The members of this group were the same people that Deputy Caro had observed earlier at [redacted] The group contained at least five of Richard Garcia's [redacted] including [redacted] and several residents from the apartment building. The group was highly agitated and instantly crowded around the deputies yelling and screaming, "please don't hurt him, he's crazy." The deputies were asking the crowd where the [redacted] lived but no one would answer or cooperate. The deputies were soon unable to control the crowd.

The following is Deputy Caro's account of the events that transpired. Deputy Caro observed Deputy Velasquez standing on the sidewalk at the northeast corner of Via Campo Street and Sadler Avenue. Deputies Dilisio and Garza were in the general area near Velasquez. Deputies Caro and Flores were together on Sadler Avenue south of Velasquez, standing in the grass area. Deputy Flores was slightly in front of Deputy

Caro. The deputies were spread out in a line running north/south in front of the apartment building.

The crowd of family members continued to yell and scream at the deputies becoming more hostile and assertive. At that time, a male, later identified as [redacted] was observed walking across the courtyard of the complex. [redacted] clothing matched the description of the suspect given to Deputy Caro. The deputies began asking, eventually yelling to, the family members if "that was him?" The family members responded by telling the deputies, "that's not him."

Within seconds after [redacted] appeared, Richard Garcia (Garcia) was observed running across the courtyard of the complex. Garcia was holding a large butcher knife in his right hand. Garcia held the knife in his bent arm above his head with the blade pointed forward. Garcia was running directly toward Deputy Velasquez. Fearing for Deputy Velasquez's life, Deputy Caro unholstered her gun. Deputy Caro attempted to aim at Garcia, who was now within feet of Deputy Velasquez, but was unable to aim because Deputy Flores blocked her line of fire. Deputy Caro heard Deputy Flores fire three shots from his gun, heard gunshots from other deputy's locations and saw Garcia fall to the ground in front of Deputy Velasquez. Deputy Caro never fired her weapon. Members of the crowd immediately converged on and blocked the body while yelling and screaming obscenities at both Garcia and the deputies.

Deputy Garza related the following course of events. Deputy Garza had monitored the original assault call over his radio. When he arrived in the area, Deputy Garza saw that everyone had arrived at the complex at Sadler Avenue and Via Campo Street. Deputy Garza parked his car north of the other radio cars and walked around to the rear of his car toward the east curb of Sadler Avenue.

The other deputies were out of their cars and standing in a line on the sidewalk in front of the apartment complex. Deputy Garza intended to assist the deputies in handling the crowd that had gathered. He took up a position just south of Deputy Velasquez. Suddenly, Deputy Garza heard yelling from the crowd and also heard Deputy Velasquez "yelling something." Deputy Garza observed Garcia run out from the courtyard with a large knife in his hand. Garcia, holding the knife above his head, "charged" directly at Deputy Velasquez. Fearing for Deputy Velasquez's life, Deputy Garza fired three rounds from his weapon.[1] Deputy Velasquez stopped firing when he observed Garcia "go down." Deputy Garza heard other deputies firing before Garcia fell to the ground. Deputy Garza saw members of the crowd run to Garcia. Deputy Garza recovered the

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[1] Deputy Garza loads his service weapon with one round in the chamber and a fully loaded magazine of fifteen rounds. Upon inspecting Deputy Garza's weapon after the shooting, detectives observed one round in the chamber and twelve in the magazine.

knife and placed it in the trunk of his unit until the homicide detectives took it. The investigators later recovered a second knife from the scene. This knife had blood on the tip and is believed to have been the weapon Garcia used to stab his [redacted] earlier that day.

Deputy Flores related the following regarding the shooting. He stated that he was initially assigned the assault call but was delayed in his response. When he arrived at [redacted] he observed other units north of his location and he contacted Deputy Caro. He and Deputy Caro then responded to the complex at Sadler Avenue and Via Campo Street. Deputy Flores observed other units and deputies at the location. Deputy Flores parked his car furthest south with respect to the other units.

After exiting his unit, Deputy Flores walked northbound on the sidewalk. Deputy Flores observed an active crowd in front of the location and described the situation as "volatile." Deputy Flores then saw Garcia run out from the courtyard. Garcia was holding a large knife in his right hand. Garcia held the knife "up" with his elbow bent. Garcia had a "crazed" look on his face. Garcia appeared to run west and then immediately "took off after Deputy Velasquez." Deputy Flores drew his weapon because "I thought he was going to kill my partner." Deputy Flores believed he fired three to four shots when Garcia got within twelve feet of Deputy Velasquez.[2] As he attempted to control the scene after the shooting, Deputy Flores observed Deputy Garza holding the knife in his hand.

Deputy Dilisio gave the following account of his observations and actions during the shooting. Deputy Dilisio was in the area of Whittier Boulevard and Simmons Avenue when he heard the call of the assault with the deadly weapon. He immediately proceeded to address given in the call. When he arrived at [redacted] he contacted Deputies Velasquez and Caro. Deputy Velasquez pointed out a white Nissan that was leaving the area. Deputy Caro told him that there was a witness in the car and, at the same time, Deputy Velasquez instructed him to follow the vehicle.

Deputy Dilisio followed the vehicle to the corner of Sadler Avenue and Via Campo Street. He was the first Sheriff's unit to arrive at the scene. As Deputy Dilisio exited his vehicle, he noticed three or four people already at the location. A female got out of the white Nissan and approached the group. Deputy Dilisio attempted to contact this woman to elicit further information. Deputy Velasquez arrived and also attempted to gain

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[2] Deputy Flores loads his service weapon with one round in the chamber and a fully loaded magazine of fifteen rounds. Upon inspecting Deputy Flores' weapon after the shooting, detectives observed one round in the chamber and twelve in the magazine.

information from the crowd. All of the members of the group were hostile and uncooperative.

Deputy Dilisio did manage to acquire some information from a highly agitated woman who identified herself as Garcia's [redacted] She told Deputy Dilisio that her [redacted] was "sick." Deputy Dilisio asked if Garcia was on drugs and the woman responded that she did not know. Finally, the woman pointed to the apartment complex and stated, "he's inside." Moments later, [redacted] walked out from the courtyard of the complex. Deputy Dilisio asked the woman if that was the suspect. She indicated that [redacted] was not the suspect.

Five to ten seconds later, Garcia emerged from the complex at a full run. Deputy Dilisio saw Garcia running directly at him. Garcia held a long knife in his right hand, raised above his shoulder and pointed forward in a stabbing position. Garcia then suddenly veered toward Deputy Velasquez. Deputy Dilisio saw Deputy Velasquez take a step back and heard him yell "Stop! Stop!" Garcia closed the distance between he and Deputy Velasquez to within 10 to 12 feet in a short time. Deputy Dilisio said, "At that instant, I knew, that he was … that he meant to kill Deputy Velasquez."

Deputy Dilisio raised his weapon and fired between three and four shots at Garcia.[3] Deputy Dilisio heard other deputies firing at the same time. Garcia fell forward and landed in the exact spot in which Deputy Velasquez had been standing before stepping backwards. Deputies Dilisio and Velasquez approached the still moving Garcia and turned him over. Deputy Dilisio observed the knife lying beneath Garcia's torso. Deputy Velasquez recovered the knife as the deputies were immediately surrounded by the hostile crowd. Deputy Dilisio remained at the scene to assist in crowd control.

Deputy Velasquez gave the following account of his actions leading up to and during the shooting. He stated he was returning to the East Los Angeles Station from an assignment in Commerce when he monitored the initial assault call. Deputy Velasquez responded to the call because he felt his response time was shorter than that of the assigned deputy. Deputy Velasquez arrived at the Margaret Avenue address via Sadler Avenue. As he was driving southbound on Margaret Avenue, Deputy Velasquez observed numerous individuals running northbound as if they were "out of control." Deputy Velasquez stopped his vehicle and began to ask the individuals, "Who has the knife, where's the guy with the knife?" These individuals were extremely uncooperative and merely responded, "he's in the house, he's in the house." Unable to receive any further information, Deputy Velasquez responded to [redacted]

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[3] Deputy Dilisio loads his service weapon with one round in the chamber and a fully loaded magazine of fifteen rounds. Upon inspecting Deputy Dilisio's weapon after the shooting, detectives observed one round in the chamber and eleven in the magazine.

When he arrived, Deputy Velasquez saw Deputy Caro talking with [redacted] who appeared to be bleeding from the left bicep area. Deputy Velasquez asked [redacted] where the suspect could be found. [redacted] stated, "He's in the house, don't hurt him." At that same time, a female ran up to their position and began yelling, "he's in the house, he's in the house, don't hurt him." Neither [redacted] nor the female would identify which house they were referring to. The female then entered a white car and began driving northbound on Margaret Avenue. Shortly thereafter, Deputy Dilisio arrived at the scene. Because he was still in his vehicle, Deputy Velasquez asked Deputy Dilisio to follow the white car. Deputy Flores arrived immediately after Deputy Dilisio drove off. Now that Deputy Flores was at the scene, Deputy Velasquez left in his vehicle to provide backup for Deputy Dilisio.

Deputy Velasquez followed Deputy Dilisio to the apartment complex on the corner of Sadler Avenue and Via Campo Street. When they arrived, there were numerous individuals running around hysterically in front of the building. After he made repeated attempts to question the individuals about the suspect's whereabouts, Deputy Velasquez was told by one of the crowd that "he's in there." The individual was pointing at the apartment building. As they were attempting to speak to the hostile group, the deputies observed more individuals arriving at the scene from the Margaret Avenue address. As Deputies Caro and Flores arrived, the scene was becoming increasingly chaotic.

Deputy Velasquez observed [redacted] walk out from the courtyard. Deputy Velasquez loudly was asking the crowd if [redacted] was the suspect. Someone from the crowd finally responded that he was not the suspect. Immediately thereafter, Deputy Velasquez heard someone yell, "there he is." When Deputy Velasquez turned to his left, he observed Garcia running directly at him. Garcia had a large knife in his right hand that was raised above his shoulder in a stabbing position. Garcia was looking directly at Deputy Velasquez and "charging" him. When Garcia was 10 t0 12 feet from him, Deputy Velasquez took two steps backward, pointed his weapon at him and yelled, "Stop! Stop! Stop!" When Deputy Velasquez realized that Garcia was "very close", he began to fire his weapon.[4] Deputy Velasquez heard other deputies firing at the same time.

Garcia fell to the grass and sidewalk approximately one foot from Deputy Velasquez. Garcia fell on top of the knife. When Deputy Velasquez and Deputy Dilisio turned him over, Deputy Velasquez observed the knife lying on the ground beneath him. Deputy Velasquez picked up the knife and threw it behind him and out of reach. Deputy Velasquez did not handcuff Garcia because the crowd that was now moving in on them

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[4] Deputy Velasquez loads his service weapon with one round in the chamber and a fully loaded magazine of fifteen rounds. Upon inspecting Deputy Velasquez's weapon after the shooting, detectives observed one round in the chamber and nine in the magazine.

had become increasingly hostile. When he heard that the paramedics had arrived, Deputy Velasquez moved away and was later transported from the scene.

After the shooting, Investigators interviewed [redacted] had [redacted] Garcia for a number of years in the 1990s. She [redacted] their relationship when she learned he was using alcohol and drugs. Against her wishes, Garcia continued to contact her. Garcia would call her home at all hours of the day and night and pound on her door for hours at a time. Garcia's behavior continued to escalate to the point that [redacted] obtained a restraining order preventing him from having any contact with her. The order was still in effect at the time of the shooting. The harassment, however, did not stop. This behavior ended for a period after Garcia was [redacted] Garcia went to [redacted] for [redacted] and had been released a few months before the shooting.

After his release on [redacted] saw Garcia socially for a brief time. She agreed to see him again upon his representation to her that he was no longer using drugs and alcohol. When it became apparent to her that Garcia had not changed his ways, [redacted] terminated the relationship again. Thereafter, the harassment started afresh. Garcia's behavior had become increasingly oppressive and bizarre in the days leading up to the shooting.

On the morning of the shooting [redacted] was at her apartment with her [redacted] his [redacted] and their baby, [redacted] and the baby were leaving to go shopping. Because they had received a call from Garcia that morning threatening to come over "the way he used to", [redacted] told his [redacted] to lock the door and admit no one. [redacted] had also informed his [redacted] that Garcia had been to the house the day before acting very strangely and agitated as if he were on drugs.

After her family left, [redacted] locked the door and went to her bedroom to change her clothes for a trip she was making later in the day. As she was changing, she heard a crashing sound coming from the living room area. When she opened her door to look out, she saw Garcia, with one leg already inside the apartment, coming through the dining room window. Garcia had pushed in the screen and kicked the window fan onto the floor.

When she asked Garcia what he was doing there, Garcia told her that "I just stabbed my [redacted] because he raped you. And I'm sorry I wasn't there, but I'm here now." This made no sense because [redacted] had no contact with Garcia's [redacted] Garcia would not stop and eventually fully entered the apartment through the window. [redacted] said that Garcia "was not himself." She explained that she had never seen him so bad and that he looked disheveled and unkempt. Garcia paced back and forth nervously acting as though he were on drugs.

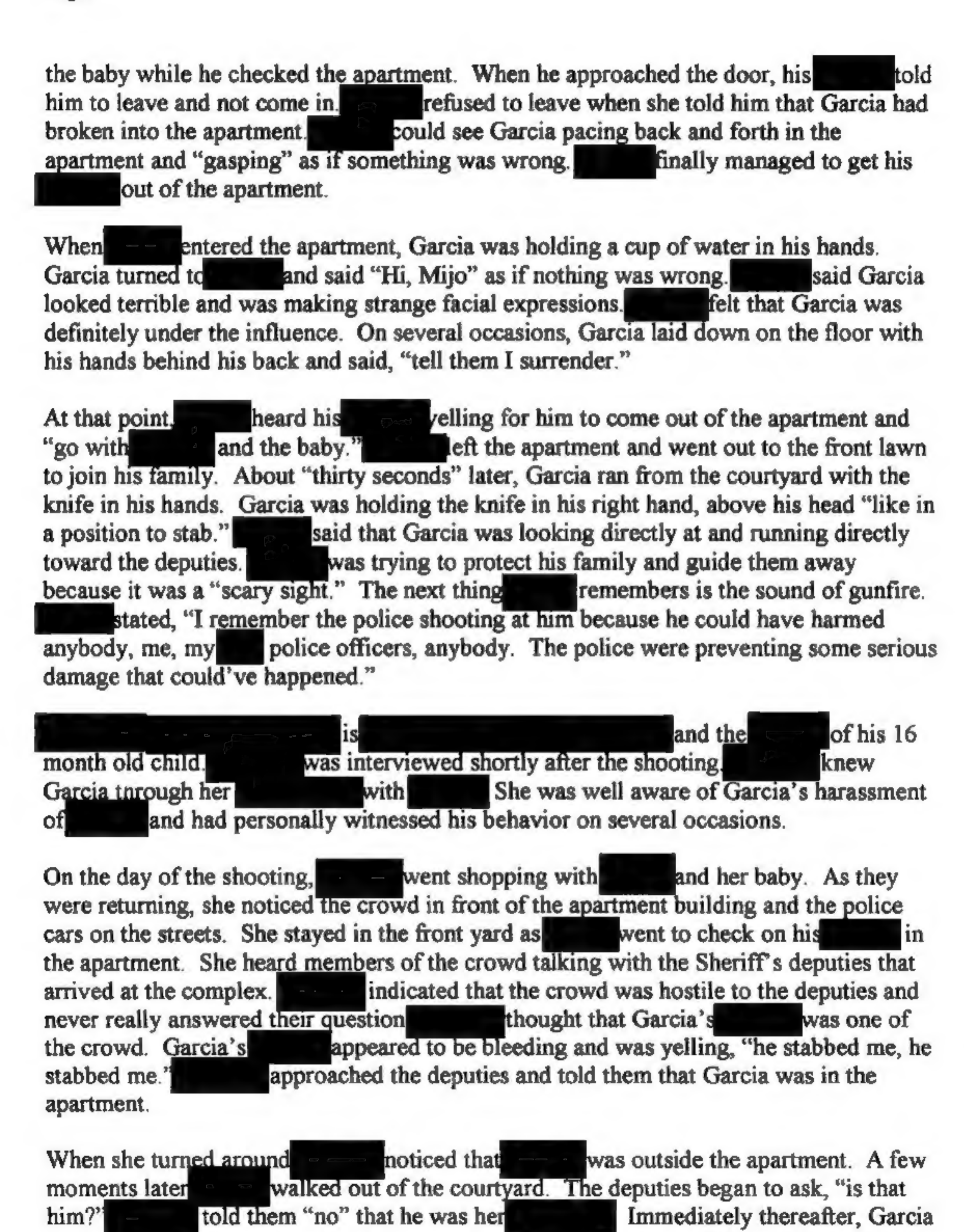
Garcia told her that he needed a glass of water. [redacted] retrieved a glass for him and Garcia filled it from the sink. Then Garcia began to stir the water with his finger, showing it to [redacted] and asking if it was wine yet? [redacted] stated that she did not know what to do. She told Garcia to drink and sit down in the dining room to relax. Instead, Garcia opened her closed bedroom door and looked in as if checking for someone. Garcia then approached [redacted] and began to undo her belt buckle and her pants. When [redacted] resisted, Garcia told her that he wanted them to be together. [redacted] told him "no" and went to her bedroom to put on a sweater.

When she looked out the window, [redacted] saw her [redacted] and his family returning to the apartment. [redacted] went to the front door as her [redacted] approached and told him to leave with [redacted] and the baby. When asked what was wrong [redacted] told them that Garcia had broken into the apartment. [redacted] refused to leave and managed to convince his [redacted] to leave the apartment. After leaving her apartment, [redacted] walked to the front of the building where she saw members of Garcia's family and several Sheriff's deputies. [redacted] remembers people yelling Garcia's name, "he's sick" and "he needs help." Suddenly, Garcia ran out of the courtyard and past her. Garcia had a large knife, which [redacted] believes came from her kitchen, in his hand. Garcia was holding the knife over his shoulder with his elbow bent. As Garcia ran past her and towards the sidewalk and street [redacted] heard people screaming and the sound of gunshots. [redacted] ran back to her apartment and did not come out until the investigators contacted her.

[redacted] is [redacted] at his [redacted] apartment in the complex in which the shooting took place. The investigators interviewed [redacted] shortly after the shooting. [redacted] knew Garcia because Garcia dated his [redacted] for a short time. Since [redacted] lived with [redacted] he was aware of the problems that Garcia's behavior had caused. [redacted] indicated that the problems had increased after Garcia's release on [redacted]

The day before the shooting, [redacted] was home alone and working on the computer. Garcia came to the front door and began pounding on it and demanding entry. [redacted] did not respond. Garcia then went to and began pounding on the rear door. According to [redacted] Garcia was saying "Honey, I'm home, let me in." [redacted] said that Garcia was pacing back and forth and muttering to himself [redacted] felt that Garcia was on narcotics and acting like a "zombie." [redacted] took his video camera and taped a portion of this incident [redacted] later described the incident to [redacted] and played the tape for her.

On the day of the shooting [redacted] his [redacted] and his baby went shopping leaving his [redacted] at the apartment alone. When they returned, they noticed a crowd gathered in front the apartment building and a "police" car speeding down Margaret Avenue. People in the crowd were calling out to them. [redacted] told his [redacted] o remain out front with



the baby while he checked the apartment. When he approached the door, his [redacted] told him to leave and not come in. [redacted] refused to leave when she told him that Garcia had broken into the apartment. [redacted] could see Garcia pacing back and forth in the apartment and "gasping" as if something was wrong. [redacted] finally managed to get his [redacted] out of the apartment.

When [redacted] entered the apartment, Garcia was holding a cup of water in his hands. Garcia turned to [redacted] and said "Hi, Mijo" as if nothing was wrong. [redacted] said Garcia looked terrible and was making strange facial expressions. [redacted] felt that Garcia was definitely under the influence. On several occasions, Garcia laid down on the floor with his hands behind his back and said, "tell them I surrender."

At that point, [redacted] heard his [redacted] yelling for him to come out of the apartment and "go with [redacted] and the baby." [redacted] left the apartment and went out to the front lawn to join his family. About "thirty seconds" later, Garcia ran from the courtyard with the knife in his hands. Garcia was holding the knife in his right hand, above his head "like in a position to stab." [redacted] said that Garcia was looking directly at and running directly toward the deputies. [redacted] was trying to protect his family and guide them away because it was a "scary sight." The next thing [redacted] remembers is the sound of gunfire. [redacted] stated, "I remember the police shooting at him because he could have harmed anybody, me, my [redacted] police officers, anybody. The police were preventing some serious damage that could've happened."

[redacted] is [redacted] and the [redacted] of his 16 month old child. [redacted] was interviewed shortly after the shooting. [redacted] knew Garcia through her [redacted] with [redacted] She was well aware of Garcia's harassment of [redacted] and had personally witnessed his behavior on several occasions.

On the day of the shooting, [redacted] went shopping with [redacted] and her baby. As they were returning, she noticed the crowd in front of the apartment building and the police cars on the streets. She stayed in the front yard as [redacted] went to check on his [redacted] in the apartment. She heard members of the crowd talking with the Sheriff's deputies that arrived at the complex. [redacted] indicated that the crowd was hostile to the deputies and never really answered their question [redacted] thought that Garcia's [redacted] was one of the crowd. Garcia's [redacted] appeared to be bleeding and was yelling, "he stabbed me, he stabbed me." [redacted] approached the deputies and told them that Garcia was in the apartment.

When she turned around [redacted] noticed that [redacted] was outside the apartment. A few moments later [redacted] walked out of the courtyard. The deputies began to ask, "is that him?" [redacted] told them "no" that he was her [redacted] Immediately thereafter, Garcia

ran out of the courtyard with a knife held over his head. Garcia ran directly at the deputies. As [redacted] screamed and held her [redacted] tightly, she heard the sound of gunshots and saw Garcia appear to get hit and fall to the ground. After [redacted] calmed she and the baby down, she told [redacted] to go and take care of his [redacted] [redacted] then went to the apartment where she remained until the investigators contacted her.

Investigators attempted to interview Garcia's [redacted] members and other witnesses at the scene but they all refused to speak to the investigators. In fact, the only statement given by family members was from [redacted] who subsequently denied that his [redacted] had stabbed him saying that he had cut himself on a table as they wrestled.

Los Angeles County Fire Department Paramedics rendered assistance to Garcia at the scene of the shooting. He was eventually transported to Los Angeles County USC Medical Center where he was pronounced dead by Doctor Moss at 2:24 PM. On May 25, 2000, Los Angeles County Deputy Medical Examiner James Ribe, M.D. performed an autopsy on the body of Richard Garcia. Dr. Ribe ascribed the cause of death to "multiple gunshot wounds."

LEGAL ANALYSIS

California law permits the use of deadly force in self-defense or in the defense of another if it reasonably appears that the person claiming the right of self-defense or the defense of another actually and reasonably believed that he was in imminent danger of great bodily injury or death. People v. Williams, (1977) 75 Cal.App.3d 731.

If one is confronted by the appearance of danger which arouses in his mind, as a reasonable person, an honest conviction and fear that he is about to suffer bodily injury, and if a reasonable person in a like situation seeing and knowing the same facts, would be justified in believing himself in like danger, and if the person so confronted acts in fear and honest conviction, his right of self-defense is the same whether sucn danger is real or apparent. People v. Jackson, (1965) 233 Cal.App.2d 639. In protecting himself or another, a person may use all force which he believes reasonably necessary and which would appear to a reasonable person, in the same or similar circumstances, to be necessary to prevent the injury which appears to be imminent. CALJIC 5.30, 5.32.

CONCLUSION

By the time they reached the apartment complex at Sadler Avenue and Via Campo Street, all of the deputies involved were aware that Garcia had already stabbed a family member. When they arrived, they found a chaotic scene filled with hostile and uncooperative witnesses who refused to answer their questions or assist them in any way. In fact, the actions of the family and witnesses appear to have hindered the deputies' investigation.

While attempting to obtain details as to his location, they were suddenly confronted by a "crazed" Garcia armed with a very large knife held in stabbing position above his head. As Garcia came at full speed to within a few feet, a retreating Deputy Velasquez gave several orders to stop. When Garcia failed to stop, Deputy Velasquez had no choice but to fire upon him in defense of his own life and safety. Likewise, as they stood and watched within feet of their fellow deputy, Deputies Dilisio, Garza and Flores were justified in believing that they needed to fire upon Garcia in order to preserve Deputy Velasquez's life and the lives of others in the vicinity.

Having concluded that Deputies Dilisio, Flores, Garza and Velasquez acted in lawful self-defense and lawful defense of others, we are closing our file and will take no further action on this matter.

Very truly yours,

STEVE COOLEY
District Attorney

By

MICHAEL KENNETH PETTERSEN
Deputy District Attorney

C: Deputy Joseph Dilisio #[redacted]
Deputy Joel Flores #[redacted]
Deputy Manuel Garza #[redacted]
Deputy Steven Velasquez #[redacted]